

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 13-01-03**

Date Published: December 27, 2012
For Work Week Commencing: December 31, 2012
Commission Meeting: January 3, 2013, 9:00 a.m.

General Introduction *This agenda is the Commission's agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website at <http://psc.mt.gov> (go to "Agendas & Meetings" then "Audio/Video Archives"). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Approval of Commission Minutes (Aleisha)

Approval of the Commission Minutes for the week of December 20, 2012

2. Out of state staff travel (Kate)

Staff requests approval of John Torske's travel to John to Oklahoma City, OK, for the *Safety Evaluation of Gas Pipeline Systems Course*, January 28-February 1, 2013. Probable Motion: Approve the travel request.

3. Central Montana Communications N2012.12.128 (Scott)

On December 10, 2012, Central Montana Communications (CMC) requested to modify their tariffs. The description of Toll Restriction was moved, text of the service was changed to simplify the explanation, and the monthly recurring charge for business with Toll Restriction was deleted to match residential. Probable Motion: Approve CMC request in docket N2012.12.128.

4. Bowker Sanitation LLP TN2556 (Nickie)

Allen Charles Bowker and Melanie Jean Bowker d/b/a Bowker Sanitation LLP, Culbertson, PSC 5039, has submitted a 2011 verified statement as required by 38.3.1205 ARM. They are hauling into North Dakota. Probable Motion: Approve the verified statement in lieu of intrastate operations.

Class D - Garbage and solid waste within the City of Culbertson, and a 20 mile radius thereof.

SUB A Class D - Garbage within the town of Bainville, Montana and a ten (10) mile radius thereof.

5. Dick Irvin, Inc. TN2557 (Nickie)

Dick Irvin, Inc., Shelby, Montana requests permission to continue the lease of PSC No. 9392 to Irvin, Inc. and Mico, Inc. d/b/a I & T Transfer, Shelby, Montana for a one year period, January 6, 2013 to January 6, 2014. Probable Motion: Approve the continued lease of PSC No. 9392.

SUB F Class B - Property within the town of Fairfield, Montana, and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said town, and the transportation of building materials only within a distance not exceeding 150 miles in any direction from said town of Fairfield. Limitation: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB L Class B - Property in Oilmont, Montana, and in the oil fields tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said town. Limitations: The transportation of property between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB M Class B - Property within the City of Conrad, Montana, and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said town. Limitations: The transportation of property between points served by rail carriers, or between points served by a motor carrier operating between fixed termini, or over a regular route, is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

6. Medical Transportation Services TN2558 (Nickie)

Medical Transportation Services d/b/a Northern Cheyenne Board of Health, Lame Deer, Montana requests permission to lease PSC No. 9413 to Lame Deer Health Center, Lame Deer, Montana for a one year period, January 5, 2013 to January 5, 2014. Probable Motion: Approve the continued lease of PSC No. 9413.

Class B – Medical patients of the Northern Cheyenne Board of Health between all points and places in Big Horn, Flathead, Jefferson, Glacier, Roosevelt, Rosebud and Yellowstone County. LIMITATIONS: (1) Transportation must originate or terminate in Rosebud County. (2) Transportation in limousine vehicles is prohibited.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2011.1.2 – Five Valleys Gas – True-Up filing for the period January 1, 2011 through December 31, 2011 – Discuss and act on draft Default Order. (1/3/13)
2. D2008.10.123 – HLH, LLC – General rate case – Discuss and act on draft final order. (1/3/13)

Other Meetings

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. NorthWestern Energy (NWE) D2012.9.94 (Jason/Dennis)

On December 21, 2012 NWE submitted a motion for protective order to protect the disclosure of forecasted financial information requested as part of the discovery process.

2. NorthWestern Energy (NWE) D2012.9.94 (Jason/Dennis)

On December 21, 2012 NWE submitted a motion for protective order to protect the disclosure of NWE's FIN 48 material requested as part of the discovery process.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda.

Comments on the requests may be submitted at any time prior to ruling. Copies of these requests may be viewed on the Commission's web site at <http://psc.mt.gov>

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be viewed on the Commission's web site at <http://psc.mt.gov>

Information Items All items identified below are for information only.

1. NorthWestern Energy (NWE) D2012.9.94 (Jason/Dennis)

On December 20, 2012, the Commission granted NWE's motion for protective order. The Commission granted protection for NWE's state and federal income tax returns for 2010 and 2011.

New Filings Received in Past Week

N2012.12.125 - NorthWestern Energy - 2012 Natural Gas Biennial Procurement Plan

D2012.12.129 - Black Hills Corporation - Application for Authority to Establish a Quarterly Fuel Rate Rider